

DUE DATE APRIL 15, 2010

THIS SCHEDULE MUST BE FILED EVERY YEAR REGARDLESS IF ANY ADDITIONS OR DELETIONS WERE MADE

PRODUCING MINES REAL AND PERSONAL PROPERTY

IMPORTANT DOCUMENT – PLEASE READ

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FOR ASSESSMENT YEAR BEGINNING JANUARY 1, 2010

STATE OF COLORADO GENERAL INFORMATION

(Declaration Schedules and Attachments Are Confidential And Private Documents By Law.)

For these instructions, please refer to the following statutes: §§ 39-3-118.5, 39-3-119.5, 39-5-104.5, 39-5-104.7, 39-5-107, 39-5-108, 39-5-110, 39-5-113 through 117, 39-5-120, and 39-21-113(7), C.R.S.

In accordance with § 39-3-119.5, C.R.S., you are not required to file the personal property portion of this declaration if the total actual value of your personal property per county is \$4,000 or less.

If you are unsure as to whether the total actual value of your personal property per county exceeds \$4,000, please contact the county assessor.

<u>WHO FILES A DECLARATION SCHEDULE</u>? The owner (legal titleholder) of taxable personal property, their agent, and those in possession and/or control of the taxable personal property as of January 1 must file a declaration schedule. All personal property, such as a business/organization's:

■ Equipment ■ Security Devices ■ Machinery ■ Household Furnishings ■ Personal Effects, not otherwise exempt by law, must be listed on this schedule.

IS YOUR BUSINESS NEW? ARE YOU A NEW OWNER? If you answer "yes" to either question, or you have never filed with the county assessor and you own taxable personal property you are required to provide a complete detailed listing of all machinery, equipment, and other personal property. Please include: ■ Item ID Number ■ Property Description ■ Model Number ■ Year Acquired ■ Original Installed Cost to You.

PRORATION OF PERSONAL PROPERTY VALUE IS GENERALLY NOT ALLOWED:

As of January 1, 1996, the only proration of personal property value allowed is for Works of Art loaned to and used for charitable purposes by an exempt organization. If other taxable personal property was located in Colorado on the assessment date, it is taxable for the entire assessment year, providing that, if it was newly acquired, it was put into use as of the assessment date (January 1). If it was not located in the state on the assessment date, or if it was newly acquired, but was not put into use as of the assessment date, it cannot be taxed until the next assessment year. Except for works of art, personal property that is exempt on the assessment date retains its exempt status for the entire assessment year. These requirements do not affect the proration of real property.

WHEN DO YOU FILE? This form must be received by the county assessor by the April 15 deadline EVERY YEAR.

HOW DO YOU FILE FOR AN EXTENSION? You may extend the deadline if, prior to April 15, the assessor receives your written request AND \$20 for a 10-day extension, or \$40 for a 20-day extension. This extension applies to all personal property schedules (single or multiple), which a person is required to file in the county.

WHAT HAPPENS IF YOU FAIL TO FILE? The late filing penalty is \$50 or 15% of the taxes due, whichever is less. If you fail to file a schedule, the assessor may determine a valuation based upon the BEST INFORMATION AVAILABLE and may add a penalty of up to 25% of assessed value for any omitted property discovered and valued later.

NOTE: Failure to properly file a declaration schedule may prevent you from receiving an abatement per Colorado case law. Property Tax Adm'r v. Production Geophysical, 860 P.2d 514 (Colo. 1993)

<u>WHY IS THE DECLARATION FORM IMPORTANT</u>? Assessors use this information to help calculate the property's actual value. This value is based on the property's use and condition as of January 1 of each assessment year.

WHAT HAPPENS AFTER YOU SUBMIT THIS FORM?

- The assessor may request more information or conduct a physical inventory of your personal property at your business location.
- Notices of Valuation are mailed on June 15 to the address listed on this schedule.

INSTRUCTIONS FOR COMPLETING THE PRODUCING MINES REAL AND PERSONAL PROPERTY DECLARATION SCHEDULE, DS 628

For this section, the following statutes may be referenced: §§ 39-6-104, 39-6-105, and 39-6-107, C.R.S.

All owners or operators of mines, placers, lodes, tunnels, or mill sites who extract any amount of ores, metals or mineral substances are required to file with the assessor a statement of production for the previous year and a listing of lands and/or mining claims. This statement should include: Mining Property

- Improvements Personal Property.
- **A.** <u>NAME AND ADDRESS</u>: Write any corrections to the preprinted name/address information under Change of Name or Address. If you are not the current business owner, please list the name and address of the new owner in the appropriate box. Also, list the date that the property was sold to the new owner.

LOCATION OF PROPERTY/LEGAL DESCRIPTION: If not preprinted, enter the actual physical location/legal description of real and personal property owned by you and located within this county. This includes property owned by you or under your control or in your possession as of January 1. Indicate if there has been a change in location. List any additional property locations.

- B. **OPERATION:** Complete this section by providing your business start-up date and primary product or service.
 - BUSINESS STATUS: Check the box that best describes the status of your business and property.
- C. PRODUCTION INFORMATION: If a mine, placer, lode, tunnel or mill site, consisting of one or more mining claims, severed mineral interests or other lands with associated mineral rights was in operation during the preceding year, a statement of production must be filed on the form provided. Production requirements must comply with § 39-6-104, C.R.S. When this statement of production shows that the operation produced more than \$5000 in gross proceeds, the operation will be classified as a producing mine. The valuation for assessment shall be at an amount equal to twenty-five percent (25%) of the gross proceeds or one hundred percent (100%) of the net proceeds of such production, whichever is greater. "Gross Proceeds" is the gross value of the ore produced after allowable treatment, reduction (smelting), transportation, and sales costs have been deducted. These deductions are made only if those costs were included in the original gross value of the ore or products. Only those costs that have occurred between the point of sale and the mine mouth shall be considered allowable cost deductions from the gross value of the ore or products to obtain the gross proceeds amount. "Net Proceeds" is the gross value of the ore after costs of extraction (mining) are deducted from the "Gross Proceeds."
 - This is the statutory method of valuation of a producing mine, and is not an assessment of the ore itself.
 - Those operations that do not have over \$5000 in gross proceeds during the previous year shall be classified as non-producing mines, and will be valued as all other real property is valued by use of the three approaches to value insofar as they are applicable.
 - C1./C2. In this section, please indicate if your operation is a producing mine under the definition set forth in § 39-6-105, C.R.S. and restated in the instructions above. If your operation does not qualify as a producing mine but had any amount of production during the previous year, you must show those figures in the necessary STATEMENT OF PRODUCTION SECTION.
 - C3 In this section, please list all production figures in the spaces provided.
 - <u>Line a.</u>, list the number of tons of ore mined during the previous calendar year (Tons of ore removed from the ore reserve).
 - Line b., list the gross value of ore, or products derived therefrom, mined during the previous calendar year. This is the amount for which the product of the mine for the year was sold, or could have been sold, as ore, in concentrates, or in some other form. If there is an established preceding calendar year's market value for the ore of the type mined, this value must be shown, even though the product is not actually sold as ore. If part or all of the ore mined during the year was not sold during the year, or before the statement is filed, the ore or products should be valued at prevailing prices for the year of production. Tons of ore or products mined multiplied by the average value per ton of ore or products mined equals gross value.
 - <u>Line c.</u>, list the total treatment costs for the ore and the mineral products contained therein that were incurred subsequent to the extraction (mining) of the ore, but before any possible sale. Treatment costs include crushing, grinding, concentrating, separating, conversion, or any other form of processing, other than reduction, performed to obtain a marketable product. **Only those costs that are actually reflected in the gross value of the product will be allowed.**
 - <u>Line d.</u>, list the total costs of transportation incurred in moving the ore from the mine mouth to the point of sale. Transportation costs incurred in moving the ore from the mining face to the mouth of the mine are not to be included, but should be included in costs of extraction (mining).
 - <u>Line e.</u>, list the total costs incurred in selling the marketable product(s). Exclude marketing costs for products that are not valued as part of the gross value amount.
 - <u>Line f.</u>, list the total costs incurred in the reduction of the ore to its base product. These costs are deductions allowable only when the reduction cost is included in the gross value of the product.
 - <u>Line g.</u>, show the total of the costs entered in lines c., d., e., and f. In determining the costs, if all the marketable product mining during the previous year has not been sold as of the filing of the statement, use typical market prices during the previous calendar year.
 - <u>Line h.</u>, show the gross proceeds from production, subtracting the amount on line g. from the gross value of the ore mined (line b).
 - <u>Line i.</u>, list the cost of extracting (mining) the ore. This total includes the costs incurred in moving the undisturbed ore from the "FACE" to the "Mouth" of the mine. Exploration costs are not allowable as a cost of extraction.
 - Line j., show the net proceeds from production by subtracting the cost of extraction (line i) from the gross proceeds of production (line h). Exclude any costs that are not directly related to production from the producing mine, or to subsequent treatment, transportation, or sale. Depletion, depreciation, profit (margin), and unrelated off-site expenses are not allowable deductions.

The assessor will use the information provided in the statement to determine a valuation for assessment of the producing mine for the year following the year of production. If the mine is located in more than one political jurisdiction levying a tax, the valuation will be divided between the jurisdictions in proportion to the number of acres of the mine located in each jurisdiction. If the mine is located in more than one county, a consolidated statement must be filed with each county's assessor.

Attach supporting documents that show how the figures on the statement were derived, or make records supporting such figures available for the assessor's inspection.

INSTRUCTIONS FOR COMPLETING THE PRODUCING MINES REAL AND PERSONAL PROPERTY

- C4. List the name and address of the owner of the mining claims, mineral rights or other lands comprising the mining property.
 - List the name and address of the operator of the mining operation, if any, located on the mining property.
 - List all minerals and salable by-products being extracted at the mining operation.
 - List Colorado Division of Minerals and Geology (DMG) permit number.
- C5. and C6.: Do not write in these sections.
- D. <u>BREAKDOWN OF MINING CLAIMS</u>: All owners of patented or unpatented mining claims, whether they are part of a producing mine or not, must list all claims in this section.

If the claim is patented, list the: Claim name and number U.S. mineral survey number Acreage of the claim Mining district where the claim is located Type of claim (i.e. lode, placer, tunnel, mill site) Date of recording of the location certificate for the claim Patent date Whether the claim is part of a producing mine as defined in § 39-6-105, C.R.S. If the claim is not patented, the numbers of the book and page documented in the county records must be used in place of the U.S. mineral survey number.

All information listed in this section is required by statute for the assessor to be able to make a correct and complete assessment of all claims. In addition, on a separate sheet, list the legal description and acreage of all other lands (i.e. severed mineral rights, deeded lands, leased lands, etc.) that make up any part of the mining property.

- E. <u>LISTING OF REAL PROPERTY IMPROVEMENTS</u>: List the: Description and location of all buildings and other leasehold improvements Construction or installation date Your Original installed cost. The taxpayer may attach statements or accounting records to describe this property.
- F. <u>LISTING OF PERSONAL PROPERTY</u>: Natural resources personal property includes equipment, furniture, or machinery that is used in the:

 Exploration Production Milling Processing Refining of natural resource products. If you are a first time filer, or are unsure as to whether the total actual value of your personal property per county exceeds \$4,000, please contact the county assessor. Whether or not you file a declaration schedule, the assessor may select your business for an audit.

NOTE: List ALL Personal Property including EXPENSED ASSETS WITH A LIFE OF GREATER THAN ONE YEAR AND FULLY DEPRECIATED ASSETS STILL IN USE THAT ARE SUBJECT TO IRS DEPRECIATION. You should also submit any relevant market value, rent, or lease information.

"CONSUMABLE" PERSONAL PROPERTY EXEMPT FROM TAXATION:

Pursuant to § 39-3-119, C.R.S., personal property items that are classified as "consumable" as defined in ARL Volume 5, Chapter 2, are exempt from taxation and should **NOT** be listed on this declaration. "Consumable" personal property is defined as any item having a life of one (1) year or less regardless of cost, and any item with a life longer than one year that has an acquisition cost or fair market value of \$250 or less at the time of acquisition. The \$250 limitation applies to each item of personal property fully assembled and ready for use and includes all installation costs, sales taxes, and freight expenses.

<u>IMPORTANT: YOU MUST SUBMIT A COMPLETE PROPERTY LISTING IF YOU HAVE NEVER PROVIDED ONE FOR THIS</u>
<u>LOCATION</u>. Do not list merchandise inventory, materials, or supplies. <u>Do</u> list all other personal property acquired by you during the prior year. If you have given the assessor such a list, you may simply submit additions and deletions each year.

- 1. List all taxable personal property acquired by you during the prior year, providing: Item ID Number Complete Property Description Including Model Number or Capacity Year Acquired If Item is New or Used Original Installed Cost to You (Current Owner) The Month and Year Each Item was First Placed into Service or is Scheduled to be Placed into Service. You should separately submit any available market value, rent, or lease information. The Original Installed Cost to You is defined as the amount that was paid for the personal property when new, inclusive of Sales/Use Tax Freight and Installation Charges. If the item was purchased used, include its Cost to You along with Sales/Use Tax, Freight, and Installation Charges.
- 2. List all taxable personal property sold, traded, or scrapped during the prior year. Provide for all items deleted: Item ID Number Property Description Year Acquired If the Item is New or Used Original Installed Cost to You (Current Owner).
- 3. List all unlicensed mobile equipment at this location. Do not list licensed vehicles, mobile equipment with SMM license plates, rental decals, or Z-tabs.
- 4. All leasehold improvements must be itemized to include: Property Description Year Acquired Your Original Installed Cost.
- **G. DEPRECIATION:** If you file a Form 4562 or 4562-A with the IRS, please provide a copy of your completed IRS Form with an itemized listing of all personal property including the description and cost of each item. Note that all personal property that is expensed should be included in your listing. In addition, attach a copy of the latest detailed Depreciation Schedule from your financial records.
- H. LEASED, LOANED OR RENTED PERSONAL PROPERTY: All personal property leased, loaned, or rented to you must be listed in this section. Property rented for 30 days at a time or less, returned at the renter's option, and for which sales/use tax is collected before it is finally sold, is considered exempt and should NOT be reported. You must identify each item of leased personal property as follows: Owner/Lessor's Name, Address, and Telephone Number Property Description Including Model and Serial Number Cost of the Lease Lease Number Lease Term (From-To), and Total Amount of Annual Rent. If any of the leased equipment listed is capitalized on your books and records, please check the box at the beginning of the line corresponding with the name of the Lessor. Also, if purchase or maintenance options are included in the lease, check this box and provide details of these options on a separate sheet.
- I. <u>DECLARATION AND SIGNATURE</u>: Print name of owner, name of person signing, phone number, and e-mail address. Then sign, date, and return this form to the assessor by <u>April 15th</u>. § 39-5-107, C.R.S.

State Of Colorado PRODUCING MINES REAL AND PERSONAL PROPERTY DECLARATION SCHEDULE

(CONFIDENTIAL DATA)

Assessment Date January 1,

Due Date April 15,

		County	RETURN TO	COUN	TY ASSI	ESSOR		20	010		2010
B.A. CODE	T.A. COD	E SCHED	ULE NUMBER			DO NO	T USE - 1	FOR ASSESSO	R ONI	Y	
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□ Check	box if this is you	r first return.	complete itemized listing.								
C. PROD	UCTION INFO	ORMATION (1	Please read instructions	FIRST b	efore co	mpleting	this sec	tion.)			
1) Was	this operation a p	roducing mine du	uring the previous year?		res [□ No					
2) If ye	s, indicate total a	creage at the prod	ucing mine.				acres				
List all mir	nerals or products	mined last year a	and the % of total gross val	lue for eac	ch produc	t mined.	Attached	separate sheet(s), if n	eeded.	
1. Prod	uct Mined		% of total gross value	3.	Product	Mined					gross value
2. Prod	uct Mined		% of total gross value	4.					%	of total	gross value
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D. BREAKDOWN OF MINING CLAIMS OR LANDS COMPRISING MINING PROPERTY OWNED OR LEASED BY YOU

(Attach separate sheet(s) if needed).

Claim Name or Number	Patented or Unpatented?	U.S. Mineral Survey No.	Book/Page Or Reception No.	Acreage Or Claim	Mining District	Type of Claim	Location Certificate Recording Date	Part of Producing Mine?

your installed costs, and any additions since or Buildings and Other Improvements Desc Location		escription and	Date of Installati		Original Installed Cost			Additions Since Origina Installation		
NOTE: I Subject to personal per count business	TING OF PERSONAL PROPER' Include ALL Expensed Assets Witto IRS Depreciation. In accordance property per county is \$4,000 or lety exceeds \$4,000, please contact the for an audit.	h a Life of Greater Than e with § 39-3-119.5, C.R ess. If you are a first time the county assessor. When	1 Year, Fully S., you are n e filer, or are ether or not	y Deprecia ot require unsure as you file a	ated Assets Still d to complete the to whether the declaration sc	l in Use, a his sectio total actu chedule, t	and Stored A on if the total nal value of y the assessor	ssets That Have E actual value of yo our personal prop may select your		
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